

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

IN RE PORK ANTITRUST LITIGATION

Civil No. 18-cv-01776  
(JRT/JFD)

This Document Relates To:

*The Actions of: McDonald's Corporation, Aramark Food and Support Services Group, Inc., Target Corporation, Quality Supply Chain Co-Op, Inc., Sherwood Food Distributors, L.L.C., Harvest Meat Company, Inc., Western Boxed Meat Distributors, Inc., Hamilton Meat, LLC, Jetro Holdings, LLC, BJ's Wholesale Club, Inc., Kraft Heinz Foods Company, Dollar General Corporation, Raley's, Compass Group USA, Inc., Conagra Brands, Inc., Howard B. Samuels, solely as Chapter 7 Trustee of the estate of Central Grocers, Inc., Nestlé USA, Inc., and Nestlé Purina PetCare Co.*

**CERTAIN DIRECT ACTION PLAINTIFFS'  
JOINDER IN MOVING PLAINTIFFS' OBJECTION TO  
MAGISTRATE JUDGE DOCHERTY'S DECEMBER 9, 2022 ORDER**

Direct-Action Plaintiffs McDonald's Corporation, Aramark Food and Support Services Group, Inc., Target Corporation, Quality Supply Chain Co-Op, Inc., Sherwood Food Distributors, L.L.C., Harvest Meat Company, Inc., Western Boxed Meat Distributors, Inc., Hamilton Meat, LLC, Jetro Holdings, LLC, BJ's Wholesale Club, Inc., Kraft Heinz Foods Company, Dollar General Corporation, Raley's, Compass Group USA, Inc., Conagra Brands, Inc., Howard B. Samuels, solely as Chapter 7 Trustee of the

estate of Central Grocers, Inc., Nestlé USA, Inc., and Nestlé Purina PetCare Co. (“Certain DAPs”) hereby join in Moving Plaintiffs’<sup>1</sup> December 23, 2022 Objection to Magistrate Judge Docherty’s December 9, 2022 Order (“Objection” at ECF 1689) denying Moving Plaintiffs’ Motion to Compel JBS USA (“JBS”) to prepare and provide a witness for the 30(b)(6) deposition of JBS on certain portions of Topics 20 and 23 of the Notice of 30(b)(6) Deposition to JBS (the “Motion” at ECF 1593).

Pursuant to Local Rule 72.2, “a party may respond to another party’s objections within 14 days after being served with a copy.” Certain DAPs, being parties that were served with the Objection on December 23, 2022, hereby respond in support of the Objection.

Judge Docherty apparently interpreted Certain DAPs’ failure to sign the Motion as an indication that Certain DAPs viewed the relief sought as unimportant. *See* Hearing Tr. at 32:7-16. That inference is mistaken. At the time the Motion was filed Certain DAPs supported it because the discovery sought is relevant and important to Certain DAPs’ cases against Defendants. Certain DAPs did not sign the Motion because we saw no need to do so, given that the relief sought by the Motion, if granted, would result in deposition testimony usable by all Plaintiffs. We thought it sufficient for the Moving Plaintiffs’ to sign the Motion because they had taken the lead with the respect to discovery from JBS.

To dispel any uncertainty, Certain DAPs state that they agree in full with the

---

<sup>1</sup> “Moving Plaintiffs” are Sysco Corporation, Amory Investments LLC, and the Commonwealth of Puerto Rico.

Motion. Certain DAPs also agree with the arguments in the Objection (ECF 1689), and join in the Objection and the relief requested therein.

Dated: December 29, 2022

/s/ Philip J. Iovieno

Philip J. Iovieno

Nicholas A. Gravante, Jr.

Lawrence S. Brandman

Jack G. Stern

Gillian Groarke Burns

Mark A. Singer

Elizabeth R. Moore

Zygimante Andrijauskaite

CADWALADER, WICKERSHAM & TAFT LLP

200 Liberty Street

New York, NY 10281

T: (212) 504-6000

[philip.iovieno@cwt.com](mailto:philip.iovieno@cwt.com)

[nicholas.gravante@cwt.com](mailto:nicholas.gravante@cwt.com)

[lawrence.brandman@cwt.com](mailto:lawrence.brandman@cwt.com)

[jack.stern@cwt.com](mailto:jack.stern@cwt.com)

[gillian.burns@cwt.com](mailto:gillian.burns@cwt.com)

[mark.singer@cwt.com](mailto:mark.singer@cwt.com)

[elizabeth.moore@cwt.com](mailto:elizabeth.moore@cwt.com)

[zygimante.andrijauskaite@cwt.com](mailto:zygimante.andrijauskaite@cwt.com)

***Counsel for McDonald's Corporation;  
Aramark Food and Support Services  
Group, Inc.; Target Corporation; Quality  
Supply Chain Co-Op, Inc.; Sherwood Food  
Distributors, L.L.C.; Harvest Meat  
Company, Inc.; Western Boxed Meat  
Distributors, Inc.; Hamilton Meat, LLC;  
Jetro Holdings, LLC; and BJ's Wholesale  
Club, Inc.; and Co-Counsel for Plaintiffs  
Kraft Heinz Foods Company***

/s/ David P. Germaine

Paul E. Slater

Joseph M. Vanek

David P. Germaine

Phillip F. Cramer

Alberto Rodriguez

Jeffrey H. Bergman

SPERLING & SLATER, LLC

55 West Monroe Street, Suite 3200

Chicago, Illinois 60603

Tel: (312) 641-3200

Fax: (312) 641-6492

[pes@sperling-law.com](mailto:pes@sperling-law.com)

[jvanek@sperling-law.com](mailto:jvanek@sperling-law.com)

[dgermaine@sperling-law.com](mailto:dgermaine@sperling-law.com)

[pcramer@sperling-law.com](mailto:pcramer@sperling-law.com)

[arodriguez@sperling-law.com](mailto:arodriguez@sperling-law.com)

[jbergman@sperling-law.com](mailto:jbergman@sperling-law.com)

Christina Lopez

SHERRARD ROE VOIGT & HARBISON,  
PLC

150 3rd Avenue South, Suite 1100

Nashville, Tennessee 37201

Phone: (615) 742-4200

[clopez@srvhlaw.com](mailto:clopez@srvhlaw.com)

***Counsel for Dollar General Corporation  
and Raley's***

/s/ David C. Eddy

David C. Eddy

Dennis J. Lynch

Travis C. Wheeler

NEXSEN PRUET, LLC

1230 Main Street, Suite 700

Columbia, South Carolina 29201

T: (803) 771-8900

[deddy@nexsenpruet.com](mailto:deddy@nexsenpruet.com)

[dlynch@nexsenpruet.com](mailto:dlynch@nexsenpruet.com)

[twheeler@nexsenpruet.com](mailto:twheeler@nexsenpruet.com)

***Counsel for Compass Group USA, Inc.,***

***Conagra Brands, Inc.; Howard B.***

***Samuels, solely as Chapter 7 Trustee of the***

***estate of Central Grocers, Inc.; Nestlé***

***USA, Inc.; and Nestlé Purina PetCare Co.***

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

IN RE PORK ANTITRUST  
LITIGATION

Civil No. 18-cv-01776 (JRT/JFD)

This Document Relates to:

*The Actions of: McDonald's Corporation, Aramark Food and Support Services Group, Inc., Target Corporation, Quality Supply Chain Co-Op, Inc., Sherwood Food Distributors, L.L.C., Harvest Meat Company, Inc., Western Boxed Meat Distributors, Inc., Hamilton Meat, LLC, Jetro Holdings, LLC, BJ's Wholesale Club, Inc., Kraft Heinz Foods Company, Dollar General Corporation, Raley's, Compass Group USA, Inc., Conagra Brands, Inc., Howard B. Samuels, solely as Chapter 7 Trustee of the estate of Central Grocers, Inc., Nestlé USA, Inc., and Nestlé Purina PetCare Co.*

**CERTIFICATE OF COMPLIANCE REGARDING  
CERTAIN DIRECT ACTION PLAINTIFFS'  
JOINDER IN MOVING PLAINTIFFS' OBJECTION TO  
MAGISTRATE JUDGE DOCHERTY'S DECEMBER 9, 2022 ORDER**

I, Philip J. Iovieno, certify that this joinder complies with the type-volume limitation of D. Minn. L.R. 72.2(c)(1) and with the type-size limit of D. Minn. L.R. 72.2(c)(2). The

brief has 371 words of type, font size 13 and was prepared using Microsoft Word, which includes all text, including headings, footnotes, and quotations in the word count.

Dated: December 29, 2022

/s/ Philip J. Iovieno

Philip J. Iovieno

CADWALADER, WICKERSHAM & TAFT LLP

200 Liberty Street

New York, NY 10281

T: (212) 504-6000

[philip.iovieno@cwt.com](mailto:philip.iovieno@cwt.com)

***Counsel for McDonald's Corporation;  
Aramark Food and Support Services  
Group, Inc.; Target Corporation; Quality  
Supply Chain Co-Op, Inc.; Sherwood Food  
Distributors, L.L.C.; Harvest Meat  
Company, Inc.; Western Boxed Meat  
Distributors, Inc.; Hamilton Meat, LLC;  
Jetro Holdings, LLC; and BJ's Wholesale  
Club, Inc.; and Co-Counsel for Plaintiffs  
Kraft Heinz Foods Company***